

***UNITED STATES DISTRICT COURT***  
***SOUTHERN DISTRICT OF OHIO***

**JUDGMENT IN CIVIL CASE**

John W. Garland,	:	
Plaintiff,	:	
v.	:	Case No. 2:10-cv-0028
Commissioner of Social Security,	:	JUDGE MARBLEY MAGISTRATE JUDGE KEMP
Defendant.	:	

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☐ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

☒ **Decision by Court.** This action was decided by the Court without a trial or hearing.

IT IS ORDERED AND ADJUDGED That pursuant to the January 26, 2011 Opinion and Order, the Court ADOPTED the Report and Recommendation; OVERRULED both parties Objections, SUSTAINED IN PART the plaintiff's statement of errors. This action is REMANDED to the Commissioner pursuant to 42 U.S.C. §405(g), sentence four, for further proceedings consistent with both this and the prior District Court decision.

Date: **January 26, 2011**

**James Bonini, Clerk**

s/Betty L. Clark

Betty L. Clark/Deputy Clerk